

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Charlotte, NC Division

FILED
CHARLOTTE, NC

APR 30 2025

US DISTRICT COURT
WESTERN DISTRICT OF NC

Amy Barnes,
Plaintiff,

COMPLAINT

v.

Case No 3:25-cv-290-FDW

CITY OF CHARLOTTE,
SAMPSON COUNTY
Defendants.

COMPLAINT FOR VIOLATION OF CONSTITUTIONAL RIGHTS, HARASSMENT, AND
INJUNCTIVE RELIEF

Plaintiff Amy Barnes, proceeding pro se, hereby submits this Complaint against the Defendants, City of Charlotte and Sampson County, for violating Plaintiff's constitutional rights under the Fourth and Fourteenth Amendments, as well as for harassment, emotional distress, and unlawful surveillance. Plaintiff seeks compensatory damages, punitive damages, injunctive relief, and any other appropriate relief.

A. JURISDICTION AND VENUE

1. Jurisdiction: This Court has jurisdiction under 28 U.S.C. § 1331 because this action arises under the Constitution and laws of the United States, including claims brought pursuant to 42 U.S.C. § 1983 for violations of the Fourth and Fourteenth Amendments.
2. Venue: Venue is proper in this District under 28 U.S.C. § 1391(b) because a substantial part of the events and omissions giving rise to the claims occurred within this District.

B. PARTIES

1. Plaintiff:

Amy Barnes, an individual residing in Wilson, North Carolina, is the Plaintiff in this action. Plaintiff has been subjected to repeated unlawful surveillance, harassment, intimidation, and emotional distress by Defendants' employees and agents

2. Defendant Sampson County:

Sampson County Attorney; 126 East Charles Street Clinton, NC 28328

- Sampson County is a governmental entity organized under the laws of North Carolina. It is responsible for the operation, policies, and practices of the Sampson County Sheriff's Office, and is liable for the unconstitutional acts and omissions of its employees.

3. Defendant City of Charlotte:

Office of the City Attorney; 600 East Trade Street Charlotte, NC 28202

- The City of Charlotte is a municipal corporation organized under the laws of North Carolina. It is responsible for the operation, policies, and practices of the Charlotte-Mecklenburg Police Department (CMPD), and is liable for the unconstitutional acts and omissions of its employees.

C. NATURE OF CASE

Background:

- On February 14, 2023, Plaintiff contacted the Sampson County Sheriff's Office after a neighbor's dog chased Plaintiff's child at a bus stop. Following this, Plaintiff and their children became the target of harassment and intimidation by a military-affiliated neighbor and others.

Escalation of Harassment:

- The harassment escalated to stalking, following, intimidation, and the use of dogs to threaten Plaintiff and their children during daily activities. Plaintiff repeatedly reported these incidents to the Sampson County Sheriff's Office, which refused to take action.

Wrongful Arrest:

- In March 2024, Plaintiff was unlawfully arrested by the Sampson County Sheriff's Office on fabricated charges of "communicating threats." These charges were dismissed in June 2024. The arrest was retaliatory, intended to silence Plaintiff's complaints.

Surveillance and Harassment in Charlotte:

- After relocating to Charlotte, NC in April 2024, Plaintiff and their children continued to experience harassment and surveillance, including:

- Drones hovering over Plaintiff's residence;
- Marked and unmarked police vehicles following Plaintiff and their children;
- Continuous intimidation tactics designed to instill fear and emotional distress.

Impact on Children:

- The surveillance caused Plaintiff's children severe emotional and psychological harm. They became afraid to attend school events (such as prom), and exhibited signs of trauma, anxiety, and fear of being constantly watched.

Defendants' Knowledge and Failure to Act:

- Defendants were aware, or should have been aware, of the unlawful acts of their employees and failed to intervene, thereby condoning and ratifying the unconstitutional conduct.

D. CAUSE OF ACTION

I allege that my constitutional rights, and privacy have been violated and that the following facts form the basis for my allegations:

Count I: Violation of the Fourth Amendment (Unlawful Surveillance and Harassment)

1. Defendants, through their employees and agents, engaged in surveillance and harassment of Plaintiff and their children without probable cause, consent, or a warrant, violating the Fourth Amendment. Surveillance by law enforcement for several years without proper justification violating the Fourth Amendment.

Count II: Violation of the Fourteenth Amendment (Equal Protection and Due Process Violations)

2. Defendants engaged in discriminatory and retaliatory conduct by unlawfully targeting Plaintiff and their children for harassment and surveillance based on Plaintiff's exercise of protected rights to petition and seek help. Defendants unlawful surveillance campaign that violate Plaintiff civil rights. Defendants use license plate reader, GPS, drones /aerial surveillance to track moment without probable cause violating Fourth Amendment right. Defendants unauthorized surveillance without legal basis.

Count III: Intentional Infliction of Emotional Distress

3. Defendants' conduct was extreme, outrageous, and intended to cause severe emotional distress, and carried out with reckless disregard for the likelihood of causing such distress to Plaintiff and their children.

E. INJURY

WHEREFORE, Plaintiff respectfully requests that the Court:

- A. Award compensatory damages to Plaintiff for emotional distress, pain and suffering, a loss of enjoyment of life caused by Defendants' conduct;
- B. Award punitive damages to deter Defendants and others from engaging in similar unconstitutional acts in the future;
- C. Grant injunctive relief prohibiting Defendants and their agents from continuing surveillance, harassment, or any form of intimidation against Plaintiff and their family;
- D. Order Defendants to cease and desist from any further unlawful surveillance and harassment of Plaintiff and their children;

E. Award Plaintiff the costs of litigation, including any reasonable attorney's fees under 42 U.S.C. § 1988;

F. Grant such other and further relief as the Court deems just and proper.

F. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action? YES

1. Parties to previous lawsuits:

Plaintiff: Amy Barnes

Defendants: Charlotte-Mecklenburg Police Department(CMPD)

2. Name of court and case docket: Charlotte -Mecklenburg Superior Court 25cv018936-590

3. Disposition: Still pending

4. Issues raised:

On April 9, 2025, the Plaintiff submitted a online request to the defendant, the Charlotte-Mecklenburg Police Department, seeking public records under the Freedom of Information Act (FOIA).

The request asked for: Any and all records, reports, logs, or documentation of surveillance activities conducted on or related to the Plaintiff records of GPS tracking/monitoring any vehicle registered to/or associated with the plaintiff. Any records related to drone/aerial surveillance of the plaintiff's residence, movements, or activities. The names of any officers or agencies involved in the surveillance activities.

The Defendant's failure to provide the requested records is a violation of the Plaintiff's rights under FOIA and has caused harm by denying access to public records. Plaintiff has exhausted all reasonable options to obtain the records outside of court, and now seek judicial intervention.

5. When did you file the lawsuit? April 15, 2025

6. When was it (will it be) decided? Waiting to be served by Charlotte-Mecklenburg Sheriff Office

Have you previously sought informal or form relief from the appropriate administrative officials regarding the acts complained of in Part D? YES

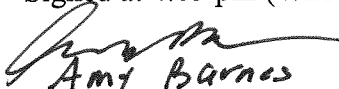
Administrative relief was not sought.

G. REQUEST FOR RELIEF

Plaintiff has suffered irreparable harm, emotional distress, and mental anguish as a result of the unlawful and unconstitutional actions of Defendants. Plaintiff respectfully asks this Court to hold the City of Charlotte and Sampson County accountable for the injuries caused by their agents and to provide appropriate relief.

JURY TRIAL REQUESTED

Signed at 4:05 pm (Wilson, NC) on April 27, 2025


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Wilson, NC 27893

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